

PROB 12C
(6/16)

Report Date: November 18, 2016

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 22 2016

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Russell Allen Clinger

Case Number: 0980 2:11CR00098-WFN-1

Address of Offender: House of Charity - 32 West Pacific Avenue, Spokane Washington, 99201

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: February 14, 2012

Original Offense: Failure to Register, 18 U.S.C. § 2250(a)

Original Sentence: Prison 41 months
TSR - 36 months

Type of Supervision: Supervised Release

Revocation Sentence

11/17/2015: Prison - 3 months
TSR - 33 months

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: February 15, 2016

Defense Attorney: Robert R. Fischer

Date Supervision Expires: November 14, 2018

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 07/07/2016 and 10/19/2016 and ISSUE A WARRANT.

To Issue a Warrant

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

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Special Condition #19: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Clinger violated his conditions of supervised release in Spokane, Washington, by consuming alcohol on November 17, 2016. The undersigned officer received notification from the Spokane Residential Reentry Center (RRC) that Mr. Clinger submitted to two Breathalyzer tests, upon returning to the facility. Both tests were positive for the presence of alcohol.

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5 **Special Condition #20:** You shall reside at a Residential Reentry Center (RRC) for a period of up to 180 days. Your participation in the program offered by the RRC is limited to employment, education, treatment, and religious services at the direction of you supervising officer. You shall abide by the rules and requirements of the facility.

Supporting Evidence: Mr. Clinger violated his conditions of supervised release in Spokane, Washington, by absconding from the RRC on November 17, 2016. The undersigned officer received a voice mail from Mr. Clinger stating he screwed up and had walked out of the RRC. In addition, the undersigned officer received notification from the RRC that just after 8:00 p.m., Mr. Clinger walked out of the RRC and never returned.

U.S. Probation respectfully recommends that the Court issue a warrant requiring Mr. Clinger to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 18, 2016

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other


Signature of Judicial Officer

11/22/16
Date